

Application No: 10/821,788

REMARKS

Claims 1-15 are pending. By this Amendment, claims 13 and 15 are canceled, claims 1 and 6 are amended and no new claims are added.

Specification

The Examiner objected to the Title and the Abstract of the specification.

Applicant has amended the Title and the Abstract in response to the Examiner's objection.

Applicant respectfully requests that the Examiner withdraw the objection.

35 U.S.C. § 112

Claims 6 and 7 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 6 to delete the word "only" to overcome the Examiner's rejection. Applicant respectfully requests that the Examiner withdraw the rejection.

Claim Rejections under 35 U.S.C. § 102

Claims 1-3 and 13-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Popovich (U.S. Publ. No. 2001/0024177). By this amendment, applicant has amended claim 1 to recite the limitation "wherein the second partial optics are arranged in front of the eye of a user wearing the HMD device so as to allow the user to perceive his environment through said optics, and the second partial optics have a refractive effect for correction of visual deficiencies of the user wearing the HMD device." These limitations, in combination with the other limitations recited in claim 1, are not taught or suggested by the Popovich reference. Applicant respectfully requests that the Examiner withdraw the rejection.

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Claims 1, 4-6, 8-12 and 15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Roberts (U.S. Pat. No. 5,396,349). As indicated above applicant has amended claim 1 to recite the limitations "wherein the second partial optics are arranged in front of the eye of a user wearing the HMD device so as to allow the user to perceive his environment through said optics, and the second partial optics have a refractive effect for correction of visual deficiencies of the user wearing the HMD device." These limitations were previously found in claims 13 and 15. These limitations are not taught or suggested by the Roberts reference. The Examiner indicated that the Roberts reference disclosed the HMD device as previously recited in claim 1 "wherein the second partial optics (for example 5, 7) have a refractive effect for the correction visual deficiencies of the user wearing the HMD device" citing to col. 4, lines 9-15.

Applicant respectfully traverses the rejection. Column 4, lines 9-17 of the Roberts reference state "It will be understood that there may be some functional overlap between the diffractive elements 5 and 7 and that in combination they introduce opposite dispersion to that introduced by the non-conformal reflection hologram on the visor 1. Ideally they completely compensate for the visor dispersion but in practice the correction may be less than complete but nevertheless a useful improvement providing an adequately colour corrected display image." Applicant can find no hint of correction of refractive visual deficiencies in the above cited passage or elsewhere in the Roberts reference. Roberts only indicates correction for "visor dispersion" which is created by a part of the device disclosed in Roberts. Applicant submits that the Roberts reference is completely silent on the correction of visual deficiencies. There is no teaching, suggestion or even mention of a refractive effect for the correction of visual

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deficiencies of the user. Applicant respectfully requests that the Examiner withdraw the rejection.

Claims 2-12 and 14 depend directly or indirectly from claim 1 and should be patentable for the same reasons as indicated above.

Claim Rejection under 35 U.S.C. § 103

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Roberts. Claim 7 depends from claim 1, which, as discussed above, is patentable over the Roberts reference. Claim 7 should be patentable for the same reasons. Applicant respectfully requests that the Examiner withdraw the rejection.

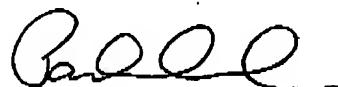
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CONCLUSION

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Paul C. Onderick  
Registration No. 45,354

Customer No. 24113  
Patterson, Thuente, Skaar & Christensen, P.A.  
4800 IDS Center  
80 South 8th Street  
Minneapolis, Minnesota 55402-2100  
Telephone: (612) 349-5766